

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ALBERT D. FEESER,

:

Plaintiff,

:

Case No. 3:15cv00234

vs.

:

District Judge Walter H. Rice

CAROLYN W. COLVIN,
Commissioner of the Social
Security Administration,

:

Chief Magistrate Judge Sharon L. Ovington

:

Defendant.

:

DECISION AND ENTRY

This social security case is presently before the Court upon the parties' Joint Stipulation For An Award Of Attorney's Fees Under The Equal Access To Justice Act (EAJA), 28 U.S.C. § 2412. (Doc. #17). The parties agree that Plaintiff is entitled to an award of attorney fees under the EAJA in the total amount of \$5,100.00. The parties also agree that such an award will fully satisfy any and all of Plaintiff's claims for fees, costs, and expenses under the EAJA.


Under the parties' agreement, any paid EAJA fees belong to Plaintiff and can be offset to satisfy pre-existing debt that he owes the United States. *See Astrue v. Ratliff*, 560 U.S. 586 (2010).

Accordingly, the Court hereby **ORDERS** that:

1. The parties' Joint Stipulation For An Award Of Attorney's Fees Under The

Equal Access To Justice Act (Doc. #17) is ACCEPTED, and Defendant shall pay Plaintiff's attorney fees under 28 U.S.C. § 2412 in the total amount of \$5,100.00;

2. Plaintiff's Motion For Award Of Attorney Fees And Costs Pursuant To The Equal Access To Justice Act (Doc. #16) is denied as moot;
3. Defendant shall verify, **within thirty days of this Decision and Entry,** whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's attorney; and
4. The case remains terminated on the Court's docket.



Walter H. Rice
United States District Judge